

May 10, 2010

The Honourable Ross Landry
Chair, Law Amendments Committee
c/o Legislative Counsel Office
1690 Hollis Street
Halifax, Nova Scotia
B3J 2X

Re: Bill 64 (Electricity Act)

Dear Mr. Chairman,

With respect to Bill 64, Nova Scotia Power recommends clarification on two matters.

Section 3 provides for an expanded net metering program, permitting customers' generation of electricity for their own use and sale of excess electricity to the public utility at a rate equivalent to the rate paid by the customer for electricity supplied to them by the public utility.

As drafted and presented, owners of multiple meters are able to combine (aggregate) their excess electricity and sell it back to the public utility as if coming from a single meter. The treatment of multiple meter customers may be unfair when compared to single meter customers vis-à-vis the principle that all public utility customers should bear an equitable share of fixed costs for the provision of distribution services. We urge that this issue be addressed.

The second matter relates to Section 4, and the proposed amendment relating to the procurement of renewable low-impact electricity from independent power producers.

Proposed Section 4B provides that "where a renewable electricity administrator has selected one or more independent power producers for the supply of renewable low-impact electricity to a public utility, the public utility shall enter into the agreements necessary to evidence the procurement."

The new administrator will adjudicate bids, and the public utility will have no input on costs. The language in the Act should clarify that under the proposed structure, the decision to award a power purchase agreement (PPA) rests solely with the administrator, and any costs associated with the PPA would be deemed to be prudently incurred costs.

Thank you for this opportunity to provide input regarding Bill 64. The utility is committed to achieving the goals, and supportive of the direction articulated in, the Renewable Electricity Plan presented in April.

Sincerely,



Peter Doig
Assistant General Counsel